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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Bernd Salomon-Bahls

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02/18/2009

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EXAMINER

KEE, FANNIE C

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

02/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/528,215	Applicant(s) SALOMON-BAHLS, BERND	
	Examiner Fannie Kee	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/15/09 has been entered.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the circumferential sealing bead of the insert part consisting of an elastic material attached to the insert part with a material to form a single piece must be shown or the features canceled from claim 37. No new matter should be entered.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the snap-action form-fitting connection having closed latching elements running in the circumferential direction must be shown or the features canceled from claim 40. No new matter should be entered.

4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing

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sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claims 21, 35, 38, and 40 are objected to because of the following informalities: Claims 21, 35, 38, and 40 need to be re-written according to 37 CFR 1.75(i) - where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation.

Correction is required.

6. Claim 24 is objected to because of the following informalities: add the word --into-- after the word “insertion” in line 2.

Correction is required.

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7. Claim 32 is objected to because of the following informalities: add an --s-- to the end of the word “engage” in line 4.

Correction is required.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 21-40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 21, 35, 38, and 40 recite “A connecting device for a plug-in connection for at least one pipeline, the plug-in connection comprising...” Is Applicant trying to claim a connecting device or a plug-in connection? It appears at first that Applicant is trying to claim a connecting device as that is what is defined in the dependent claims however, Applicant does not further define a connecting device, rather, Applicant defines a plug-in connection. What is Applicant trying to claim? Examiner is interpreting that Applicant is trying to claim a connecting device for a plug-in connection and not a plug-in connection. Applicant needs to clarify what the present invention is that they are claiming.

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Claims 21, 35, 38, and 40 recite “the housing part being made in two parts from a base part and an insert part which is connected to the base part via a snap-action form-fitting connection which includes the inner cone surface”. Is Applicant trying to say that the snap-action form fitting connection includes the inner cone surface or that the insert part includes the inner cone surface? It is unclear based on how the claim is recited. It appears that Applicant is trying to say that the insert part of the housing part contains the inner cone surface and not that the snap-action form fitting connection contains the inner cone surface. Examiner is interpreting that Applicant means to say that the insert part of the housing part includes the inner cone surface and also that the insert part is connected to the base part via a snap-action form fitting connection.

Claim 22 recites the limitation "the plug-in axis" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 25 recites “wherein the base part is of two regions of molded plastic, with one region of the pipe attachment including a relatively soft material and another region including a relatively hard material”. What regions is Applicant referring to? Are these regions called out specifically? How is Applicant defining the two regions of molded plastic? Also, what does "the base part is of two regions of molded plastic" mean? Does Applicant mean that the base part is "formed" of two different regions of molded plastic? Applicant appears to speak to the pipe attachment as being one of the regions of the base part. However, the base part was defined as being part of the housing and the pipe attachment was defined as a connecting section to

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which the housing was connected to connect to a further assembly. Therefore, it does not appear that the pipe attachment is part of the base part of the housing. How can the pipe attachment be one of the two regions of molded plastic of the base part? Examiner is interpreting that as long as the base part is capable of being "formed" of two regions of molded plastic, then this claim limitation has been met.

Claim 27 recites "wherein the housing part can be inserted with a plug-in section as a press-in cartridge into a connecting opening of an assembly part". Is Applicant trying to say that the plug-in section is a different piece that is combined with the housing to be a press-in cartridge or is Applicant trying to say that the housing includes a plug-in section? This is unclear as recited in this claim. However, the dependent claims appear to recite the plug-in section as being a part of the housing part. Is this the case? Examiner is interpreting that the plug-in section as claimed here is a part of the housing part and not a separate element to be combined with the housing part.

Regarding claim 29, the phrase "in the manner of" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "in the manner of"), thereby rendering the scope of the claim(s) unascertainable.

Claim 32 recites "wherein the insert part has positioning means on its outer circumference for the automatic aligning on insertion into the base part, the positioning means being at least one radially projecting longitudinal rib which runs axially in the insertion direction

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and engage in a corresponding longitudinal groove of the base part”. What does Applicant mean by “automatic aligning”? How is it automatically aligned? Claim 21 from which claim 32 depends recites that the insert part is connected to the base part with a snap-action form fitting connection. Is the positioning means of the longitudinal rib engaging in a longitudinal groove of the base part a part of the snap-action connection or is this in addition to the snap action connection? Is the snap-action connection part of the "automatic aligning"? Examiner is interpreting that as long as there is a longitudinal rib on the insert part which fits into a longitudinal groove on the base part, this claim limitation has been met.

Claim 33 recites “wherein retaining edges are within the insert part following the inner cone as an axial end stop for the clamping ring”. What does Applicant mean by “retaining edges are within the insert part”? Does Applicant mean that there are retaining edges formed on the insert part? Examiner is interpreting that Applicant means that there are retaining edges formed on the insert part.

Claim 34 recites “wherein first retaining edges are in the region of at least two spring arms and second retaining edges are in the regions situated between the spring arms”. Where are these at least two spring arms located? Is Applicant trying to say that these spring arms are located in the insert part or near the insert part? Claim 33 recites only that there are retaining edges within the insert part. Claim 33 does not recite that there are spring arms in or near the insert part. What does Applicant mean by “first retaining edges are in the region of at least two spring arms”? Does Applicant mean that the first retaining edges are part of the spring arms or

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that they are near the spring arms? It is not clear where these spring arms are located and how the first retaining edges relate to these spring arms. Examiner is interpreting that as long as there are spring arms located near the retaining edges, this claim limitation is met.

Claim 37 recites “wherein the circumferential sealing bead of the insert part consists of an elastic material attached to the insert part with a material to form a single piece”. What does Applicant mean by “attached to the insert part *with a material* to form a single piece”? What kind of material is Applicant referring to? Is Applicant trying to say that the circumferential bead is attached as part of the insert part? Examiner is interpreting that Applicant is trying to say that the circumferential bead is attached to the insert part to form a single piece.

Claim 38 recites the limitation "the sleeve-shaped insert part" in 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 38 also recites “wherein the sleeve-shaped insert part has, for the purpose of being able to release the pipeline, at least two radially elastic spring arms which are by longitudinal slots”. What does Applicant mean by “at least two radially elastic spring arms which are *by* longitudinal slots”? It does not appear that Applicant is saying that the two spring arms are longitudinal slots as slots are empty and would not be arms. Is Applicant trying to say that there are two radially elastic spring arms with slots in between them? Examiner is interpreting that as long as there are two radially elastic spring arms with slots in between the arms, then this claim limitation is met.

Claim 40 recites “wherein the snap-action form-fitting connection has closed latching elements running in the circumferential direction”. What does Applicant mean by "closed latching elements running in the circumferential direction"? To what closed latching elements is Applicant referring? What is being latched? As the snap-action form-fitting connection is between the base part and the insert part, how can that connection be open? Examiner is interpreting that as long as the snap-action form-fitting connection is “closed”, that is, that there are no “open” elements between the base part and the insert part, then this claim limitation is met.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 21-33, 35-37, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legris U.S. Patent No. 4,431,216 in view of Wallace et al U.S. Patent No. D372,074.

With regard to claim 21, and as seen in Figure 32 below, Legris discloses a connecting device for a plug-in connection for at least one pipeline, the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a

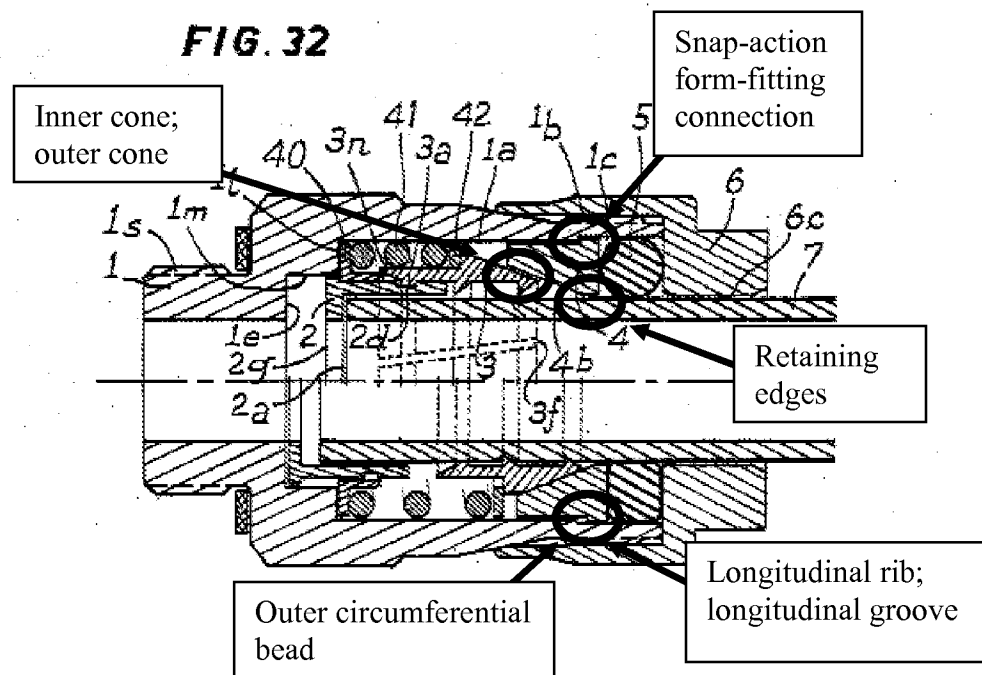
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clamping ring (3) arranged in the receiving opening and, in order to lock the pipeline in place within the receiving opening, an outer cone surface of the clamping ring interacts with an inner cone surface of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4) which is connected to the base part via a snap-action form-fitting connection which includes the inner cone surface, and the insert part having a dirt seal (5) for resting on the circumference of the pipeline in place within the receiving opening.

However, Legris does not disclose that the insert part is of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is of a second relatively soft and elastic plastic material or that the second material is attached directly onto the first material to form a single piece with a material joint therebetween. Wallace et al teach that an adhesive can be placed on the seal to attach it securely and firmly to another structural element such as an insert part so that the seal cannot be accidentally separated from the insert part during transportation or assembly.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the insert part be of a first, relatively hard and dimensionally stable plastic material and the dirt seal be of a second relatively soft and elastic plastic material because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have attached the second material directly onto the first material with an adhesive to form a single piece with a material joint therebetween so that the seal cannot be accidentally separated from the insert part during transportation or assembly as taught by Wallace et al.

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With regard to claim 22, Legris in view of Wallace et al disclose a supporting sleeve (2) which is coaxial with the plug-in axis being arranged within the base part for the frictional engagement of the inserted pipeline.

With regard to claim 23, Legris in view of Wallace et al disclose that the housing (1, 4) can be connected to a further assembly part via at least one connecting section (1s).

With regard to claim 24, Legris in view of Wallace et al disclose the connecting section (1s) being designed as a pipe attachment for insertion a second receiving opening.

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With regard to claim 25, Legris in view of Wallace et al disclose the claimed invention but do not disclose that the base part is of two regions of molded plastic, with one region of the pipe attachment including a relatively soft material and another region including a relatively hard material.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the base part be of two regions of molded plastic, with one region of the pipe attachment including a relatively soft material and another region including a relatively hard material because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416).

With regard to claim 26, Legris in view of Wallace et al disclose the connecting section (1s) being designed as a screw thread attachment including an externally threaded connector.

With regard to claim 27, Legris in view of Wallace et al disclose that the housing part (1, 4) can be inserted with a plug-in section (1s) as a press-in cartridge into a connecting opening of an assembly part.

With regard to claim 28, Legris in view of Wallace et al disclose the housing part (1, 4) having, on the circumference of the plug-in section (1s), at least one tooth element for the engagement in the connecting opening.

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With regard to claim 29, Legris in view of Wallace et al disclose the plug-in section (1s) having, on its circumference, at least one tooth element which acts in the manner of a thread such that the housing part can be plugged in with the plug-in section axially into the connecting opening and can further be removed from the connecting opening by unscrewing it.

With regard to claim 30, Legris in view of Wallace et al disclose the claimed invention but do not expressly disclose that the base part consists of a metal brass, but do disclose that the tooth element or tooth elements of the plug-in section are molded as a single piece with the base part.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the base part consist of a metal brass because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416).

With regard to claim 31, Legris in view of Wallace et al disclose the claimed invention but do not disclose that the base part consists of plastic, and the tooth element or tooth elements consist of metal and are embedded in some regions in the plastic.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the base part consist of plastic because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have the tooth element or tooth elements consist of metal and be embedded in some regions of plastic as

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the tooth element or tooth elements being made of metal would make them strong and would provide reinforcement to the plastic base part by being embedded in the plastic.

With regard to claim 32, and as seen in Figure 32 above, Legris in view of Wallace et al disclose the insert part having positioning means on its outer circumference for the automatic aligning on insertion into the base part, the positioning means being at least one radially projecting longitudinal rib which runs axially in the insertion direction and engage in a corresponding longitudinal groove of the base part.

With regard to claim 33, and as seen in Figure 32 above, Legris in view of Wallace et al disclose retaining edges within the insert part following the inner cone as an axial end stop for the clamping ring.

With regard to claim 35, and as seen in Figure 32 above, Legris discloses a connecting device for a plug-in connection for at least one pipeline, the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a clamping ring (3) arranged in the receiving opening and, in order to lock the pipeline in place within the receiving opening, an outer cone surface of the clamping ring interacts with an inner cone surface of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4) which is connected to the base part via a snap-action form-fitting connection which includes the inner cone surface, and the insert part having a dirt seal (5) for resting on the circumference of the pipeline in place within the receiving opening; and

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wherein the insert part (4) is of sleeve-shaped design and is insertable into a widened portion of the receiving opening of the base part in a manner providing a circumferential seal against the penetration of dirt and similar foreign bodies, the insert part lying completely within the base part and ending flush with the receiving opening when the insert part is positioned in the receiving opening.

However, Legris does not disclose that the insert part is of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is of a second relatively soft and elastic plastic material or that the second material is attached directly onto the first material to form a single piece with a material joint therebetween. Wallace et al teach that an adhesive can be placed on the seal to attach it securely and firmly to another structural element such as an insert part so that the seal cannot be accidentally separated from the insert part during transportation or assembly.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the insert part be of a first, relatively hard and dimensionally stable plastic material and the dirt seal be of a second relatively soft and elastic plastic material because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have attached the second material directly onto the first material with an adhesive to form a single piece with a material joint therebetween so that the seal cannot be accidentally separated from the insert part during transportation or assembly as taught by Wallace et al.

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With regard to claim 36, and as seen in Figure 32 above, Legris in view of Wallace et al disclose that the insert part (4), for the circumferential sealing toward the base part, can be inserted into the base part with a press fit and has an outer circumferential sealing bead.

With regard to claim 37, and as seen in Figure 32 above, Legris in view of Wallace et al disclose the circumferential sealing bead of the insert part being attached to the insert part with a material to form a single piece but does not disclose that the circumferential sealing bead consists of an elastic material.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the circumferential sealing bead consist of an elastic material because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416).

With regard to claim 40, and as seen in Figure 32 above, Legris discloses a connecting device for a plug-in connection for at least one pipeline, the plug-in connection comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, a clamping ring (3) arranged in the receiving opening and, in order to lock the pipeline in place within the receiving opening, an outer cone surface of the clamping ring interacts with an inner cone surface of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4) which is connected to the base part via a snap-action form-fitting

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connection which includes the inner cone surface, and the insert part having a dirt seal (5) for resting on the circumference of the pipeline in place within the receiving opening; and

wherein the snap-action form-fitting connection has closed latching elements running in the circumferential direction.

However, Legris does not disclose that the insert part is of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is of a second relatively soft and elastic plastic material or that the second material is attached directly onto the first material to form a single piece with a material joint therebetween. Wallace et al teach that an adhesive can be placed on the seal to attach it securely and firmly to another structural element such as an insert part so that the seal cannot be accidentally separated from the insert part during transportation or assembly.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the insert part be of a first, relatively hard and dimensionally stable plastic material and the dirt seal be of a second relatively soft and elastic plastic material because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have attached the second material directly onto the first material with an adhesive to form a single piece with a material joint therebetween so that the seal cannot be accidentally separated from the insert part during transportation or assembly as taught by Wallace et al.

Allowable Subject Matter

12. Claims 38-39 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

With regard to claim 38, the prior art of record does not teach or suggest a sleeve shaped insert part with at least two radially elastic spring arms which engage releasably by means of radially outwardly protruding latching attachments in a form-fitting manner in corresponding latching openings of a base part in combination with a connecting device for a plug-in connection where the plug-in connection comprises a housing part made in two parts from a base part and an insert part which is connected to the base part via a snap-action form-fitting connection, the insert part having a dirt seal where the insert part is of a first, relatively hard and dimensionally stable plastic material and the dirt seal is of a second relatively soft and elastic plastic material with the second material being attached directly onto the first material to form a single piece with a material joint therebetween, and, a clamping ring.

Claim 39 is allowable since claim 38 from which claim 39 depends is found allowable.

13. Claim 34 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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With regard to claim 34, the prior art of record does not teach or suggest first retaining edges in the region of at least two spring arms and second retaining edges in the regions situated between the spring arms where the first retaining edges are offset with respect to the second retaining edges by an axial offset in combination with the connecting device of claims 21 and 33.

Response to Arguments

14. Applicant's arguments filed 1/15/09 have been fully considered but they are not persuasive.

a. Applicant argues that Legris does not show that the insert part is connected to the base part via a snap fit connection.

Examiner disagrees. See Figure 32 above for the snap-action form-fitting connection. What is Applicant defining as a snap-fit connection? Applicant claims a snap-action form-fitting connection between the base part and the insert part and not a "snap-fit connection". The base part and insert part of Legris are form-fitting together and have a "snap-action" when assembled.

b. Applicant also argues that Legris does not show the inventive feature of a dirt seal being directly attached to the first material of the inserted part to form a single piece construction.

Examiner disagrees. See paragraph 11 above with regard to Legris in view of Wallace et al.

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Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fannie Kee whose telephone number is (571) 272-1820. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron M Dunwoody/
Primary Examiner, Art Unit 3679

/F. K./
Examiner, Art Unit 3679
February 13, 2009